

**ORDINANCE NO. 8
SERIES 2006**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON APPROVING THE REPLAT OF FRED R. FIELD WESTERN HERITAGE CENTER GUNNISON COUNTY FAIRGROUNDS CREATING PARCELS 1, 2, AND 3 LOCATED IN RIO GRANDE ADDITION & AMENDED WEST GUNNISON; VACATING INTERNAL LOT LINES; AND VACATING THE STREETS AND ALLEYS WITHIN THE BOUNDARIES OF THE REAL PROPERTY DESCRIBED AND DEPICTED ON SAID PLAT.

WHEREAS, the applicant, the Board of County Commissioners of the County of Gunnison, Colorado, submitted an application to the City of Gunnison in the form of a "Replat of Fred R. Field Western Heritage Center Gunnison County Fairgrounds Creating Parcels 1, 2, and 3 located in Rio Grande Addition & Amended West Gunnison in NW¼ Section 1, and NE¼ Section 2, Township 49 North, Range 1 West, New Mexico Principal Meridian" (hereinafter "Replat"), which application requests the City of Gunnison to vacate the internal lot lines within the property described and shown on the Replat and to vacate all dedicated streets and alleys within the boundaries of the property described and shown in the Replat located in Rio Grande Addition & Amended West Gunnison, City of Gunnison, and proposes to dedicate public utility easements within the property described and shown in the Replat; and

WHEREAS, the real property shown upon the Replat, including all streets and alleys therein, has been operated by the County of Gunnison as the Gunnison County Fairgrounds for more than sixty years; none of the streets and alleys within the property described in the Replat have been developed, been used as public thoroughfares, or been opened for public use as public streets; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison held a public hearing upon the application and proposed vacation of lot lines and vacation of streets and alleys on June 14, 2006, and has made a recommendation to the City Council that the City Council proceed with the requested approval of the Replat and requested street and alley vacations, while accepting the dedications of public utility easements shown on the Replat;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:

Section 1. Findings of Fact. Based upon the Replat submitted by the applicant, the supporting materials submitted therewith, and the evidence adduced at the public hearing conducted by the Planning and Zoning Commission of the City of Gunnison, the City Council hereby finds as follows:

a. That the applicant, the Board of County Commissioners of the County of Gunnison, Colorado, is the owner of the real property, excluding streets and alleys, more particularly described and shown in the Replat, which property is adjacent to all the streets and alleys requested to be vacated.

b. That the applicant, in addition to requesting the vacation of streets and alleys within the property described in the Replat, is also requesting that all internal lot lines created by the Amended Plat of West Gunnison and the plat of Rio Grande Addition to the City of Gunnison located within the boundaries of the real property shown and described in the Replat, be vacated.

c. That in addition, the applicant proposes to dedicate to the City of Gunnison required public utility easements within the property described and shown on the Replat.

d. That all persons who appeared at the public hearing supported the requested action by the applicant.

e. That neither the Building Official, Fire Marshal, or Chief of Police have any objection to the proposed street vacations.

f. That the Gunnison County Fairgrounds has been operated at its current location for over six decades, without any road improvements being in place.

g. That the proposed application complies with the stated goals and objectives of the update to the transportation element of the Master Plan.

h. That the application, insofar as it constitutes an application for the vacation of a recorded plat, meets the requirements of Section 15.160.110 of the City of Gunnison Land Development Code.

i. That the Replat proposes to dedicate to the City of Gunnison those utility easements deemed necessary by the City.

Section 2. Approval of Replat. The Replat, which is incorporated herein by this reference, is hereby approved by the City Council of the City of Gunnison, and the Mayor is authorized to sign the Replat.

Section 3. Vacation of Recorded Plat. Insofar as the Replat vacates existing lot lines for all the lots within the boundaries of the property shown and described on the Replat, said vacation of lot lines is hereby approved by the City Council of the City of Gunnison.

Section 4. Street and Alley Vacation. All the streets and alleys located within the boundaries of the real property shown and described on the Replat are hereby vacated. The Replat, which is incorporated herein by reference, shall be recorded concurrently with the recording of this ordinance.

Section 5. Acceptance of Dedication of Easements. The easements shown and described on the Replat and dedicated to the City of Gunnison by the Replat are hereby accepted by the City Council of the City of Gunnison for the purposes set forth therein.

Section 6. Title. The title to any vacated streets and alleys shall vest in accordance with the provisions of §43-2-302, C.R.S.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 27th day of June, 2006, on first reading, and introduced, read, and adopted on second and final reading this 11th day of July, 2006.

Mayor

SEAL:

ATTEST:

City Clerk

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